



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Fischer, et al.**

Application Serial No.: 09/973,278

Art Unit: 1645

Filed: October 10, 2001

Examiner: Not yet assigned

For: **123 Human Secreted Proteins**

Attorney Docket No.: **PZ010P2**

RESPONSE TO NOTICE TO FILE MISSING PARTS

BOX MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

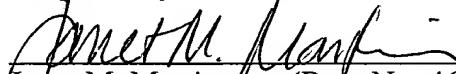
Sir:

In response to the Notice to File Missing Parts mailed December 6, 2001, submitted herewith are: (1) a Fee Transmittal Sheet with appropriate fee (in duplicate); (2) executed Declarations for Utility Application (18 pages); (3) a copy of the Notice for entry into the above-referenced application; and (4) Petition for Extension of Time for two-months with appropriate fees (in duplicate).

The Commissioner is hereby authorized to charge the required fee of \$130.00, and any other fee deemed necessary, to Deposit Account No. 08-3425, as itemized on the enclosed Fee Transmittal Sheet.

Dated: March 8, 2002

Respectfully submitted,


Janet M. Martineau (Reg. No. 46,903)
Attorney for Applicants

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, Maryland 20850
Telephone: (301) 315-2723

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/973,278	10/10/2001	Carrie L. Fischer	PZ010P2

22195
HUMAN GENOME SCIENCES INC
9410 KEY WEST AVENUE
ROCKVILLE, MD 20850

CONFIRMATION NO. 5790

FORMALITIES LETTER



OC00000007164357

Date Mailed: 12/06/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

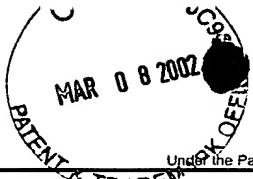
*A copy of this notice **MUST** be returned with the reply.*

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PART 1 - ATTORNEY/APPLICANT COPY

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PTO/SB/17 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL

for FY 2002

(Substitute form)

Patent fees are subject to annual revision.

FEE TRANSMITTAL for FY 2002 (Substitute form) <i>Patent fees are subject to annual revision.</i>		<i>Complete if Known</i>	
		Application Number	09/973,278
		Filing Date	October 10, 2001
		First Named Inventor	Fischer et al.
		Examiner Name	Not yet assigned
		Group Art Unit	1645
Total amount of payment	\$ 530.00	Attorney Docket Number	PZ010P2

METHOD OF PAYMENT			FEE CALCULATION (continued)																																																																																																																																																																																																																																																																																												
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number 08-3425 Deposit Account Name Human Genome Sciences, Inc.			3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>\$130.00</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>195</td><td>300</td><td>195</td><td>300</td><td>Publication fee for early, voluntary, or normal publication</td><td></td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>098</td><td>130</td><td>098</td><td>130</td><td>Processing fee, except in provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Statement</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Processing fee for provisional applications</td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>145</td><td>100</td><td>145</td><td>100</td><td>Certificate of correction</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>Request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>099</td><td>8,800</td><td>099</td><td>8,800</td><td>Request for <i>inter partes</i> reexamination</td><td></td></tr> <tr><td>148</td><td>110</td><td>248</td><td>55</td><td>Statutory disclaimer</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td>\$400.00</td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive unavoidably abandoned application</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive unintentionally abandoned application</td><td></td></tr> <tr><td>091</td><td>1,280</td><td>091</td><td>1,280</td><td>Acceptance of an unintentionally delayed claim for priority</td><td></td></tr> <tr><td>561</td><td>3</td><td>561</td><td>3</td><td>Printed copy of patent, regular service</td><td></td></tr> <tr><td>581</td><td>40</td><td>481</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr> <td colspan="3">2. EXTRA CLAIM FEES</td> <td colspan="3"> Extra Claims Fee from below Fee Paid </td> </tr> <tr> <td>Total Claims</td> <td><input type="text"/></td> <td>-20*</td> <td><input type="text"/></td> <td>\$18.00</td> <td></td> </tr> <tr> <td>Independent Claims</td> <td><input type="text"/></td> <td>-3*</td> <td><input type="text"/></td> <td>\$84.00</td> <td></td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td></td> <td>\$280.00</td> <td></td> </tr> <tr> <td colspan="3"> Large Entity Fee Code (\$) </td> <td colspan="3"> Small Entity Fee Code (\$) </td> </tr> <tr> <td>103</td> <td>18</td> <td>203</td> <td>9</td> <td colspan="2">Claims in excess of 20</td> </tr> <tr> <td>102</td> <td>84</td> <td>202</td> <td>42</td> <td colspan="2">Independent claims in excess of 3</td> </tr> <tr> <td>104</td> <td>280</td> <td>204</td> <td>140</td> <td colspan="2">Multiple dependent claim, if not paid</td> </tr> <tr> <td>108</td> <td>84</td> <td>209</td> <td>42</td> <td colspan="2">" Reissue independent claims over original patent</td> </tr> <tr> <td>110</td> <td>18</td> <td>210</td> <td>9</td> <td colspan="2">" Reissue claims in excess of 20 and over original patent</td> </tr> <tr> <td colspan="3">SUBTOTAL (1)</td> <td colspan="3">\$ 0.00</td> </tr> <tr> <td colspan="3">SUBTOTAL (2)</td> <td colspan="3">\$ 0.00</td> </tr> <tr> <td colspan="6"> * or number previously paid, if greater; For Reissues, see above </td> </tr> <tr> <td colspan="3"> Other fee (specify): </td> <td colspan="3"></td> </tr> <tr> <td colspan="3"> Other fee (specify): </td> <td colspan="3"></td> </tr> <tr> <td colspan="3"> Other fee (specify): </td> <td colspan="3"></td> </tr> <tr> <td colspan="3"> * Reduced by Basic Filing Fee Paid </td> <td colspan="3"> SUBTOTAL (3) \$530.00 </td> </tr> </tbody> </table>			Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	\$130.00	127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		142	1,280	242	640	Utility issue fee (or reissue)		195	300	195	300	Publication fee for early, voluntary, or normal publication		179	740	279	370	Request for Continued Examination (RCE)		098	130	098	130	Processing fee, except in provisional applications		126	180	126	180	Submission of Information Disclosure Statement		123	50	123	50	Processing fee for provisional applications		146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))		149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))		145	100	145	100	Certificate of correction		147	2,520	147	2,520	Request for <i>ex parte</i> reexamination		099	8,800	099	8,800	Request for <i>inter partes</i> reexamination		148	110	248	55	Statutory disclaimer		115	110	215	55	Extension for reply within first month		116	400	216	200	Extension for reply within second month	\$400.00	117	920	217	460	Extension for reply within third month		118	1,440	218	720	Extension for reply within fourth month		128	1,960	228	980	Extension for reply within fifth month		119	320	219	160	Notice of appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		122	130	122	130	Petitions to the Commissioner		140	110	240	55	Petition to revive unavoidably abandoned application		141	1,280	241	640	Petition to revive unintentionally abandoned application		091	1,280	091	1,280	Acceptance of an unintentionally delayed claim for priority		561	3	561	3	Printed copy of patent, regular service		581	40	481	40	Recording each patent assignment per property (times number of properties)		2. EXTRA CLAIM FEES			Extra Claims Fee from below Fee Paid			Total Claims	<input type="text"/>	-20*	<input type="text"/>	\$18.00		Independent Claims	<input type="text"/>	-3*	<input type="text"/>	\$84.00		Multiple Dependent				\$280.00		Large Entity Fee Code (\$)			Small Entity Fee Code (\$)			103	18	203	9	Claims in excess of 20		102	84	202	42	Independent claims in excess of 3		104	280	204	140	Multiple dependent claim, if not paid		108	84	209	42	" Reissue independent claims over original patent		110	18	210	9	" Reissue claims in excess of 20 and over original patent		SUBTOTAL (1)			\$ 0.00			SUBTOTAL (2)			\$ 0.00			* or number previously paid, if greater; For Reissues, see above						Other fee (specify):						Other fee (specify):						Other fee (specify):						* Reduced by Basic Filing Fee Paid			SUBTOTAL (3) \$530.00		
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Submitted By		Complete (if applicable)			
Name (Print/Type)	Janet M. Martineau	Registration No.	46,903	Telephone	301-315-2723
Signature:	<i>Janet M. Martineau</i>				
Date: <i>March 8, 2002</i>					

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.